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Michael F. Fleming

Associate
+1.212.309.6207
michael.fleming@morganlewis.com

July 21, 2020

Via ECF

The Honorable Analisa Torres
United States District Court
For the Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: *Dominguez v. The Gap Inc.*, No. 1:19-cv-10167
Joint Letter to Stay Pending Outcome of Consolidated Appeal in Related Cases**

Dear Judge Torres:

We represent defendant The Gap Inc. in the above-referenced action. Pursuant to Your Honor's Individual Practices in Civil Cases, we write jointly with counsel for plaintiff Yovanny Dominguez respectfully to request that the Court stay all deadlines in this case pending the resolution of a consolidated appeal of decisions granting motions to dismiss in related cases, which is currently pending before the Second Circuit under the caption *Mendez v. AnnTaylor, Inc.*, No. 20-1550 (the "Consolidated Appeal"). The Second Circuit's decision on the Consolidated Appeal will have an impact on this litigation, including on the scope of discovery, and may resolve the litigation in its entirety. Several other courts in this district have issued similar stays. *See, e.g.*, Order dated July 15, 2020 in *Calcano v. Gamestop*, 19-cv-9814-ALC (Dkt. No. 28); Order dated July 13, 2020 in *Lopez v. Blazin Wings*, 19-cv-10075-RA (Dkt. No. 32). Accordingly, counsel for the parties submit that staying this matter pending resolution of the Consolidated Appeal will preserve both the Court's and the parties' resources. This is the parties' first joint request to stay this case.¹

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Michael F. Fleming

Michael F. Fleming

Attorney for Defendant

cc: All Counsel of Record (via ECF)

Defendant's request to stay this action pending resolution of appeals in other cases raising similar issues is DENIED.

SO ORDERED.

Dated: August 13, 2020
New York, New York



ANALISA TORRES
United States District Judge